



SIERRA Club Kaua'i Group of the Hawai'i Chapter
Post Office Box 3412, Lihue, Kauai, Hawai'i, 96766

VIA EMAIL: hihwmanagementplan@noaa.gov

October 15, 2010

Management Plan Review Coordinator
Hawaiian Islands Humpback Whale National Marine Sanctuary
6600 Kalaniana'ole Highway, Suite 301
Honolulu, HI 96825

RE: Sanctuary Management Plan Review Comments

We appreciate the wide range of opportunities (such as voicemail) that are available to the public for providing comments since effective outreach is so important. Our comments are as follows:

- 1. Expand Sanctuary Boundaries.** The current boundaries are small, comprising only 1,370 square miles around the main Hawaiian islands. Many areas are not designated despite a high concentration of species in those areas.
- 2. Expansion Beyond Single Species Protection.** Consideration of whether the Sanctuary's conservation efforts should include threatened and endangered species such as Hawaiian monk seals, spinner dolphins, sea turtles, and coral reefs should be based on an evaluation of the need for such efforts and of the effectiveness of marine protected areas in benefiting such species. For this and other reasons, additional funds should be dedicated to better regulatory monitoring and enforcement and to scientific research on the species-protection impacts related to water quality, acoustic noise sources, aquaculture, and off-shore alternative energy development.
- 3. Improve Sanctuary Monitoring and Enforcement.** When the Sanctuary was created, no additional regulations were developed to supplement existing laws from the Marine Mammal Protection Act and Endangered Species Act. The current "coordinated" federal and state monitoring and enforcement efforts are not working well enough and solutions are needed for improvement.
- 4. Regulations Needed to Mitigate Vessel Strikes.** Boat speed is a proven factor in the incidence of whale and vessel collisions. The sanctuary needs to have speed regulations established to mitigate strikes. A speed limit of 13 knots during whale season and strict enforcement and penalties for any vessel breaking the speed limit or hitting whales must be instituted.

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5. Sonar & Acoustic Impacts Mitigation. We recommend that the Sanctuary take action to limit all sonar activity during whale season and to comply with NOAA noise policies to prevent or mitigate acoustic impacts to whales. Acoustic disturbances such as underwater explosives, boat engine noise, etc. have been documented to cause behavioral impacts, strandings, alter communication, and cause deafness and death in whales. More resources should go to towards researching the impacts of Navy sonar on whales and dolphins and other marine species to verify the Navy's own studies.

6. Water Quality Monitoring & Pollution Regulations Needed. Chemicals and pollution degrade Hawaii's waters and cause algae blooms which kill coral reefs and are toxic to marine mammals. Pesticides, PCDF's, dioxin- like PCB's, PBDE's and very high levels of heavy metals have been found in marine mammals. The abundance of plastic and marine debris in the ocean accounts for an increase in marine fatalities, including whale deaths. We recommend that the Sanctuary take action to address water pollution and fund water quality monitoring. NOAA must advocate for stricter laws to stop sewage dumping, pesticide and chemical runoff.

7. Net Entanglement. With the success of the sanctuary's dis-entanglement program, the next step should be instituting regulations and fines to deter the frequency of fishing nets discarded in the ocean. NOAA can support new laws mandating that all nets have owner identification; fines should be imposed on violators and policies to reward those who collect stray nets should be developed.

8. Re-prioritize Public Education Efforts. Although community engagement programs have some benefit, they have far less direct impact on "saving" species. Consider directing less funding towards student programs, public events and awareness campaigns which are less effective tools for direct conservation efforts. Increasing opportunities to disseminate regulatory information to the commercial entities that operate in the ocean will likely result in greater value.

Sincerely,



Rayne Regush on behalf of the Executive Committee
Sierra Club Kaua'i Group, Hawai'i Chapter

cc: Robert D. Harris, Director, Sierra Club Hawai'i Chapter